

## Warranty of Habitability Checklist

DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ UNIT #: \_\_\_\_\_

There are many kinds of defects that could make a rental unit uninhabitable. Under the California Civil Code, the implied warranty of habitability requires property owners to maintain their rental unit in a condition fit for "occupancy of human beings." Additionally, the rental unit must comply with building and housing code standards that materially affect tenants' health and safety.

Below is a checklist of the implied warranty of habitability. If the rental unit **substantially lacks** any of the following the unit may be considered uninhabitable.

	YES	NO
1. Is there a working toilet?		
2. Is there hot and cold running water?		
3. Is there a washbasin and bathtub or shower in the unit?		
4. Is the gas facility(s) in good working order?		
5. Is the heating facility(s) in good working order?		
6. Is the electric system, including lighting, wiring and equipment in good working order?		
7. Is the rental unit free from rodents, and vermin?		
8. Is there adequate trash receptacle(s)?		
9. Windows and doors not broken?		
10. Windows and doors lock?		
11. Floors, stairways, and railings in good repair?		
12. Adequate waterproofing and weather protection of roof and exterior walls?		

Even if any of the above conditions exist, a property owner may not be required to repair the condition if the tenant has not fulfilled the tenant's own responsibility or had caused the damage. For additional information, please contact the City of Fremont, Office of Neighborhoods at (510) 494-4500 to speak to the City's Housing Counselor.